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10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13
14 **THE TWO HUNDRED FOR**
HOME OWNERSHIP, a California
Nonprofit Public Benefit Corporation,
ROBERT APODACA, an individual, and
JOSE ANTONIO RAMIREZ, an individual,

15 Petitioner and Plaintiff,

16 v.

17
18 **CALIFORNIA AIR RESOURCES BOARD,**
STEVEN S. CLIFF, in his official capacity,
and DOES 1-25,

19 Respondents and
20 Defendants.

21 No. 1:22-cv-01474-KES-BAM

22 **STIPULATION AND [PROPOSED]**
ORDER RE CONTINUANCE OF
SCHE DULING CONFERENCE

23 Scheduling Conference

24 Date: December 17, 2024
Time: 8:30 a.m.
Courtroom: 8
Judge: Barbara A. McAuliffe

25 Trial Date: None set

26 Action Filed: November 14, 2022

WHEREAS, on March 7, 2023, Respondents filed a motion to dismiss under Rule 12(b) of the Federal Rules of Civil Procedure with regard to all of the claims asserted by Petitioners herein;

WHEREAS, as of the filing of this stipulation, the Court has not yet ruled on Respondents' motion to dismiss;

WHEREAS, a scheduling conference is currently set in this action for December 17, 2024 at 8:30 a.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe;

WHEREAS, the Parties previously have met and conferred regarding the matters to be discussed at the scheduling conference, including such related matters as the extent to which the claims asserted by Petitioners might properly be decided based on an administrative record, the preparation of the administrative record and anticipated timing for completion of the record, the possible need for discovery on any non-record based claims, and the appropriate timing of such discovery relative to the Court's decision regarding the record-based claims; and

WHEREAS, the Parties agree that they will be in a better position to discuss and reach an agreement regarding these and other scheduling matters after the Court has ruled on Respondents' motion to dismiss.

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that the scheduling conference currently set for December 17, 2024 should be continued for a period of four months, or to the Court's earliest available date thereafter.

Dated: December 4, 2024

ROB BONTA
Attorney General of California

/s/ John S. Sasaki

JOHN S. SASAKI
Deputy Attorney General
Attorneys for Respondents/Defendants
California Air Resources Board et al.

1 Dated: December 4, 2024

2 HOLLAND & KNIGHT LLP

3 /s/ Brian C. Bunger (as authorized on
4 December 4, 2024)

5 BRIAN C. BUNGER
6 *Attorneys for Petitioners/Plaintiffs The Two
7 Hundred for Homeownership et al.*

8 **[PROPOSED] ORDER**

9 Based on the foregoing stipulation of the parties, and for good cause shown, the scheduling
10 conference currently set in the above-captioned action for December 17, 2024 at 8:30 a.m. is
11 hereby continued to _____, 2025, at _____.

12 IT IS SO ORDERED.

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14 Dated: _____

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17 HON. BARBARA A. McAULIFFE
18 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

Case Name: **The Two Hundred for Home
Ownership, et al. v. California
Air Resources Board, et al.** No. **1:22-cv-01474-ADA-BAM**

I hereby certify that on December 4, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

STIPULATION AND [PROPOSED] ORDER RE CONTINUANCE OF SCHEDULING CONFERENCE

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on December 4, 2024, at Los Angeles, California.

John S. Sasaki
Declarant

/s/ John S. Sasaki
Signature